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JONATHAN BROWNING, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JONATHAN BROWNING, INC., a California
corporation,

Plaintiff,

v.

VENETIAN CASINO RESORT, LLC., a Nevada
limited liability company; LAS VEGAS SANDS,
LLC., a Nevada limited liability company; LAS
VEGAS SANDS CORP., a Nevada corporation;
and DOES 1 through 100, inclusive,

Defendants.

No. C 07-3983 JSW

**DECLARATION OF THOMAS S.
HIXSON IN SUPPORT OF
PLAINTIFF'S OPPOSITION TO
DEFENDANTS' MOTION TO
DISMISS**

Date: November 9, 2007
Time: 9:00 a.m.
Place: Courtroom 2, 17th Floor
Judge: Honorable Jeffrey S. White

1 I, Thomas S. Hixson, declare as follows:

2 1. I am an attorney at law duly admitted to practice before all courts of the
3 State of California. I am a partner at Bingham McCutchen LLP, counsel of record for Plaintiff
4 Jonathan Browning, Inc. ("Jonathan Browning" or "Plaintiff"). I have personal knowledge of the
5 matters set forth in this declaration and if called as a witness I could and would testify
6 competently to them.

7 2. A true and correct copy of excerpts of the Las Vegas Visitor Profile,
8 Annual Report, Calendar Year 2006, available on the Las Vegas Convention and Visitors
9 Authority's website at <http://www.lvcva.com/press/statistics-facts/index.jsp>, is attached hereto as
10 **Exhibit A.**

11 3. Pursuant to 17 U.S.C. § 411(a), I served on the Register of Copyrights a
12 copy of Jonathan Browning's Complaint filed in this action.

13 I swear under penalty of perjury that the foregoing is true and correct and that this
14 declaration was signed in San Francisco, California on October 3, 2007.

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16 /s/ Thomas S. Hixson
Thomas S. Hixson
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